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Board of Health Minutes 09-19-2001

BOARD OF HEALTH MEETING MINUTES

Wednesday, September 19, 2001

4:00 p.m., Fox Community Center

Board Members in Attendance: Dr. Carole Allen (Chair), Mr. Gregory Leonardos, Mr. Mark Fingerle

Staff in Attendance: Joe Carabello (Health Compliance Officer), Christine Connolly (Health Compliance Officer), Terri Susi (Health Compliance Officer), Marie Walsh (Director of Public Health)

I. Minutes of August 15, 2001 meeting accepted as written.

II. Christine Connolly presented results of latest check for compliance with **Rules and Regulations Restricting Smoking and the Distribution of Tobacco and Tobacco Products within the Town of Arlington**. The compliance check was performed on September 6, 2001 and resulted in 88% compliance.

III. Violation Hearing: Little Joe's, 206 Summer Street failed a second consecutive compliance check by selling a tobacco product to a minor. Armen Arshakyan, clerk, was present and stated that he made the sale during a busy time of day. The Board voted unanimously to suspend the establishment's permit to sell tobacco products for fourteen days.

IV. Continuance of Hearing from August 15, 2001: Mr. David Wilfert contested violations cited on June 28, 2001 inspection report of 60 Pleasant Street # G-4. Tenant Nicole Guzman was present with husband and child, owner David Wilfert was not present, attorney Albert Cullen, representing Mr. Wilfert, was present. Marie Walsh reported that a reinspection was performed on September 18, 2001; 2 of 4 violations remain outstanding. The Board voted unanimously to pursue court action.

V. Hearing Request: Mr. David Wilfert contested violations cited on July 31, 2001 inspection report of 60 Pleasant Street #319. Tenant Barbara Rohter was present, owner David Wilfert was not present, attorney Albert Cullen, representing Mr. Wilfert, was present. Ms. Walsh presented the inspection report citing a crack in the bathroom ceiling and wall. Ms. Rohter stated that the crack has been present for four years and that Mr. Wilfert refuses to fix it. The Board voted unanimously to have a reinspection performed in fourteen days and court action pursued if violations remain as of reinspection.

VI. Hearing Request: Mr. David Wilfert contested violations cited on July 31, 2001 inspection report of 60 Pleasant Street #321. Tenant Santina Marcellino was present, owner David Wilfert was not present, attorney Albert Cullen, representing Mr. Wilfert, was present. Ms. Walsh presented inspection report citing three violations. Attorney Cullen argued that two of the violations should be addressed to the condominium association since they are located in a common area. Ms. Walsh will ask Town Counsel for an opinion.

VII. Next Meeting: October 17, 2001 at 4:00 p.m.